CONNECTICUT

LAW

JOURNAL



Published in Accordance with General Statutes Section 51-216a

VOL. LXXXI No. 16

October 15, 2019

257 Pages

Table of Contents

CONNECTICUT REPORTS

Bank of America, N.A. v. Cuseo (Order), 333 C 922	136
Bolat v. Bolat (Order), 333 C 918	132
Clasby v. Zimmerman (Order), 333 C 919	133
DeMaria v. Bridgeport (Order), 333 C 916	130
Farmington-Girard, LLC v. Planning & Zoning Commission (Order), 333 C 917	131
Federal National Mortgage Assn. v. Farina (Order), 333 C 920	134
Griffin v . Commissioner of Correction, 333 C 480	104
Habeas corpus; motion for summary judgment; certification from habeas court;	
claim that contemporary standards of decency regarding acceptable punishment	
for children who engage in criminal conduct have evolved such that transfer of	
case of fourteen year old defendant to regular criminal docket from docket for	
juvenile matters and subsequent sentence of forty years violated prohibition	
against cruel and unusual punishment in due process provisions (article first,	
§§ 8 and 9) of state constitution; whether recent statutory (P.A. 15-183 and P.A. 15-	
84) modifications to state's juvenile justice system reflect changes in contemporary	
standards of decency; whether petitioner was entitled to be resentenced.	105
Halladay v. Commissioner of Correction (Order), 333 C 921	135 133
Harris v. Commissioner of Correction (Order), 333 C 919	
Kaminski v. Poirot (Order), 333 C 916	130 133
Lowry v. Mayers (Order), 333 C 922	136
McGinty v. Stamford Police Dept. (Order), 333 C 920	134
Nonhuman Rights Project, Inc. v. R.W. Commerford & Sons, Inc. (Order), 333 C 920	134
Pamela Corp. v. Planning & Zoning Commission (Order) (See Farmington-Girard, LLC v.	104
Planning & Zoning Commission), 333 C 917	131
Patrowicz v. Peloquin (Order), 333 C 915	129
Riccardo v. Couloute (Order), 333 C 921	135
State v. Daniels (Orders), 333 C 918	132
State v. McCleese, 333 C 378	2
Murder; conspiracy to commit murder; assault first degree; whether trial court	_
properly dismissed motion to correct illegal sentence for lack of jurisdiction on	
ground of mootness; claim that, under Connecticut constitution, parole eligibility	
afforded by recent legislation (P.A. 15-84, § 1) to certain juvenile offenders did	
not remedy violation of requirement in Miller v. Alabama (567 U.S. 460) and State	
v. Riley (315 Conn. 637) that juvenile offender's age and hallmarks of adolescence	
be considered as mitigating factors before juvenile may be sentenced to life impris-	
onment, or its functional equivalent, without possibility of parole; claim that P.A.	
15-84 is unconstitutional under separation of powers doctrine embodied in article	
two of Connecticut constitution and due process clause of fourteenth amendment	
to United States constitution; claim that P.A. 15-84 violated separation of powers	
by impermissibly delegating sentencing power to Board of Pardons and Paroles;	
claim that P.A. 15-84 violates defendant's right to equal protection under fourteenth	
amendment to United States constitution on ground that juveniles convicted of capital felony are entitled to resentencing under P.A. 15-84 whereas juveniles,	
such as defendant, who are convicted of murder, are not.	
State v. Pugh (Order), 333 C 914	128
State v. Scott (Order), 333 C 917	131
bianc v. beom (Oraci), 999 O 911	101

(continued on next page)

State v. Turner (Order), 333 C 915	129 92
Trust v. Bliss (Order), 333 C 921 U.S. Bank, National Assn. v. Fitzpatrick (Order), 333 C 916 Wachovia Mortgage, FSB v. Toczek (Order), 333 C 914 Volume 333 Cumulative Table of Cases	135 130 128 137
CONNECTICUT APPELLATE REPORTS	
Jezouit v. Malloy, 193 CA 576	72A
Kelly v. Kurtz, 193 CA 507	3A

(continued on next page)

CONNECTICUT LAW JOURNAL

(ISSN 87500973)

Published by the State of Connecticut in accordance with the provisions of General Statutes \S 51-216a.

Commission on Official Legal Publications Office of Production and Distribution 111 Phoenix Avenue, Enfield, Connecticut 06082-4453 Tel. (860) 741-3027, FAX (860) 745-2178 www.jud.ct.gov

Richard J. Hemenway, $Publications\ Director$

 $Published\ Weekly-Available\ at\ \underline{\text{https://www.jud.ct.gov/lawjournal}}$

Syllabuses and Indices of court opinions by Eric M. Levine, Reporter of Judicial Decisions Tel. (860) 757-2250

The deadline for material to be published in the Connecticut Law Journal is Wednesday at noon for publication on the Tuesday six days later. When a holiday falls within the six day period, the deadline will be noon on Tuesday.

defendants' use of his name; whether plaintiff failed to prove that he suffered actual loss as result of defendants' alleged interference with his business expectancies or that he suffered any ascertainable loss as result of alleged CUTPA violations; whether plaintiff could recover under theory of unjust enrichment where he recovered under theory of breach of contract; whether plaintiff lacked standing to bring claims relating to breach of operating agreement. Meribear Productions, Inc. v. Frank, 193 CA 598 Foreign judgment; breach of contract; quantum meruit; final judgment; motion to dismiss appeal as untimely; motion for permission to file late appeal; whether twenty day time limit for filing appeal pursuant to applicable rule of practice (§ 63-1) is subject matter jurisdictional; whether good cause existed to allow defendants' appeal to proceed.	94A
State v. Crewe, 193 CA 564	60A
port conviction; whether jury reasonably could have inferred from evidence that	
defendant knew of presence of narcotics in van, exercised dominion and control over at least some of narcotics and, thus, constructively possessed narcotics.	
Weston Street Hartford, LLC v. Zebra Realty, LLC, 193 CA 542	38A
Easements; temporary and permanent injunction; counterclaim; whether trial court properly rendered judgment for plaintiff on counts of defendant's counterclaim	
relating to its request to relocate plaintiff's right-of-way easement over defendant's	
property; difference between unilateral modification of easement and unilateral	
relocation of easement, discussed; claim that trial court improperly rendered judgment in defendant's favor on plaintiff's complaint and denied plaintiff's	
request for injunctive relief; whether trial court applied correct standard of law	
in determining whether plaintiff was entitled to injunctive relief; whether court	
abused its discretion in denying plaintiff's request for injunctive relief. Volume 193 Cumulative Table of Cases	105A
Volume 135 Cumulative Table of Cases	10011
SUPREME COURT PENDING CASES	
Summaries	1B